

REMARKS

This is a complete response to the outstanding Office Action mailed November 29, 2006. Claim 20 has been added herein. No new matter was added in new claim 20. Support for claim 20 may be found in original claim 1 and figure 1. Upon entry of the enclosed claim amendments, claims 1-20 remain pending in the present application.

I. Response to Claim Rejections Based on Obviousness

In the Office Action, claims 1-5, 7-11, and 16-18 have been preliminarily rejected as obvious under 35 U.S.C. § 103. Specifically claims 1-5, 7-11, and 16-18 have been preliminarily rejected under 35 U.S.C. § 103 by Applicant's background information in view of reference JP401321084A.

Applicant's claim 1 recites, "the welding path being turned back before reaching the welding termination point, without overlap between the welding start point and the welding termination point". The clause "without overlap between the welding start point and the welding termination point" grammatically refers to the welding path. Therefore, the welding path does not overlap/cross or touches itself.

Neither Applicant's background information nor JP401321084A disclose, teach, or suggest this element of the claimed invention. Applicant's background information only acknowledges a straight weld path which does not turn back before reaching the welding termination point as shown in FIG. 4A. The '084A reference discloses the welding path returns on itself in the outer most square of Figure 4 with the termination point overlapping the start point. The Office has not provided disclosure of reference teaching the welding path being turned back and not overlapping between the welding start point and the welding termination point. No teaching or suggestion is provided for not overlapping the welding path in the '084A reference.

In addition, the motivation to combine of providing good weld strength and quality inaccurately interprets reference '084A. The reference '084A is concerned with laser beam spot welding. Unlike the present invention, welding is performed at spots along the path not a continuous weld along the welding path. The welding along the welding path of Applicant's invention may cause a moment of the attaching member around the axis of the mother member.

Accordingly reference '084A would not experience the problem solved by Applicant's invention and does not intends to solve the problem which occurs when welding is performed generating a moment around the axis of the mother member as in the present invention. Therefore, no suggestion for any motivation to remove such problem is provided by reference '084A.

Therefore, for at least these reasons claim 1 overcomes the above 103 rejection. Since reference JP401321084 does not cure any of the above defects, the Applicant respectfully submits that for at least the above reasons claim 1 should be allowed over the cited references. Applicant also respectfully submits that since claims 2-15 depend on independent claim 1, claims 2-15 contain all limitations of independent claim 1. Since independent claim 1 should be allowed, as argued herein, pending dependent claims 2-15 should be allowed as a matter of law for at least this reason. In re Fine, 5 U.S.P.Q.2d 1596, 1608 (Fed. Cir. 1988).

CONCLUSION

In light of the foregoing amendments and comments and for at least the reasons set forth above, Applicant respectfully submits

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that all objections and rejections have been traversed, rendered moot and/or accommodated, and that presently pending claims 1-20 are in condition for allowance. Applicant has responded to all of the Examiner's requests. Favorable reconsideration and allowance of the present application and the presently pending claims are hereby courteously requested. The examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

Respectfully submitted,

Makase et al.

By


Andrew R. Martin, Esquire
Registration No. 45,413
Attorney for Applicant(s)

BOURQUE & ASSOCIATES, P.A.
835 Hanover Street, Suite 301
Manchester, New Hampshire 03104

Telephone: (603) 623-5111
Facsimile: (603) 624-1432

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